IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.1579 of 2007
ARUN KUMAR SINHA ……..Petitioner
Versus
1. THE STATE OF BIHAR
2. UMA SHANKAR PRASAD SRIVASTAV
……Opposite parties
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3. 11.11.2008. This Cr. Revision has been preferred against the judgment dated 17.8.2007 passed by Additional Sessions Judge, Fast Track Court IV, Darbhanga in Sessions Trial No. 379 of 2005 thereby the court below has acquitted the opposite party no. 2 Uma Shankar Prasad Srivastava and convicted other accused namely Sunil Kumar Srivastava under Section 306 I.P.C.

Heard learned counsel for the petitioner.

The grievance of the petitioner is that on a similar evidence court below has convicted the husband of the deceased whereas has acquitted the opposite party no. 2. It is further submitted that court below has not properly appreciated the oral evidence.

Considered the submission of learned counsel for the petitioner and perused the impugned judgment.

On perusal of the entire judgment it appears that court below has discussed the oral evidence in thread bare and has rightly come to the conclusion that the petitioner is not able to prove the case against opposite party no. 2.

Under the facts and circumstances, this court is not inclined to interfere in the impugned judgment acquitting the opposite party no. 2. Accordingly, this Cr. Revision is rejected.

kanchan **(Ghanshyam Prasad, J.)**

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